

**TOWN OF SHEFFIELD
BOARD OF SELECTMEN
OCTOBER 24, 2005
TOWN HALL**

Board Members Present: Janet G. Stanton, Chairman
David D. Macy, Selectman
Julie M. Hannum, Selectman

Other Staff Present: Robert Weitz, Town Administrator
Beverly A. Gilbert, Recording Secretary

Chairman Stanton called meeting to order at 7PM

APPROVAL OF MEETING MINUTES: SEPTEMBER 19, 2005; SEPTEMBER 26, 2005, OCTOBER 3, 2005; OCTOBER 3, 2005 EXECUTIVE SESSION; OCTOBER 6, 2005, AND OCTOBER 17, 2005

Selectman Macy moved to approve the meeting minutes with several clarifications for the meetings of September 19, 2005; September 26, 2005, October 3, 2005; October 3, 2005 Executive Session; October 6, 2005, and October 17, 2005. Julie Hannum seconded. Motion carried unanimously.

POLIKOFF ROAD EXCAVATION PERMIT APPLICATION

Chairman Stanton asked if anyone had questions about the Selectmen's October 22nd AM site visit.

Discussion ensued re: Selectman Hannum's inquiry about monitoring wells: who decides placement, what's the industry standard, where should they be placed, how many, how often are they monitored and reported, who monitors, role of Board of Health, town by-law 102-11 re: water table. Tomorrow at 9AM, Richard Kirchner of the Board of Health will conduct a site visit and observe the monitoring well. As mentioned at the October 17th meeting, gravel consultant David Partridge of Tighe & Bond sent correspondence in which he listed Sheffield By-law Section 102-11 as needing to be addressed by the Board of Health. Chairman Stanton stated that she believes it is important to have a soil analysis to see the history of the water levels.

Selectman Hannum asked about implications about the parcel containing some portions in the business district, and other parts in commercial district. Town Administrator Weitz stated that Special Town Counsel Kopelman & Paige had provided 2 written opinions with the most current opinion stating that gravel zoning supercedes zoning bylaws.

Selectman Hannum stated it was not until the site visit, that she had knowledge that Greg Marlow of Century Acquisitions arranged for the demonstration of trucking vehicles through Collingwood Trucking, who happens to be owned by her Uncle – Jim Collingwood. Chairman Stanton asked if this would impact on her ability to make a decision. Selectman Hannum stated that she believes she can remain impartial, and she will contact Town Counsel and the State Ethics Commission.

Selectman Macy stated that he felt the site visit gave a good overview of the terrain. His concerns remain: proximity to residences, and the impact on the neighborhood. He continues to wrestle on the trucking matter.

Chairman Stanton stated that she felt the site visit was productive and interesting to see where the wells are and how they are monitored. She did note homes near the proposed site of the excavation and indicated that one neighbor has an 18-foot point shallow well. She received a list of places Century Acquisitions operates within the last 5 years. Attorney Kathleen McCormick confirmed that this is a **complete** list for the past five years. Chairman Stanton contacted a Selectman in Falls Village who gave a favorable reference and that Century Acquisitions has been exceptional over the past 4 years– and that they frequently meet and keep communication lines open and work with neighbors. Chairman Stanton heard the identical about Century Acquisitions from an acquaintance residing in Falls Village: Greg Marlow has been wonderful.

Chairman Stanton stated that she needs to digest, and review the large volume of information (including new information provided by the applicant's legal counsel).

Chairman Stanton expressed appreciation to those who sent written testimony.

Kathleen McCormick stated that specific questions/concerns may be directed to her.

The board fielded procedural questions. Selectman Macy indicated that the Board needs to determine if the gravel operation is a viable option, and if not as presented in the application, are there ways to make it viable with addition requirements. If there is a problem, will a restriction ease such?

The Board did indicate its intentions to involve the Board of Health.

APPOINTMENT; HIGHWAY DEPT

Selectman Macy moved to appoint Charles Rivest to the Highway Department as a Driver / Equipment Operator Laborer, seconded by Selectman Hannum. Motion carried unanimously.

CURB CUT PERMITS

Town Administrator Weitz advised that Mass. Highway, if granted a curb-cut, will add a gravel driveway to extend Minnie Golden's driveway 11 feet to the west to remedy recently installed guardrails – part of the Berkshire School Road project. The new curb cut will allow Jim Golden access to his property. Selectman Hannum moved to approve the curb cut permit for 524 Berkshire School Road (corner of Bears Den Road), seconded by Selectman Macy. Motion carried unanimously.

SENIOR CENTER UPDATE

Chairman Stanton reported that the Board conducted a site visit at the Barrington Stage Company building located on Elm Ct. However, the Board just received word that this is no longer an option for the Senior Center-- Barrington Stage Company accepted a substantial offer (too good to pass-up). Chairman Stanton spoke to Rick Segalla who is receptive to meeting with the Board to explore the possibility of the town building a Senior Center on his property behind the library.

SELECTMEN'S ITEMS

Selectman Hannum and Selectman Stanton reported on last Thursday night's Berkshire County Selectmen Association dinner meeting in which Richard Kirchner was honored for his many years (33) of service as a Selectman. This meeting was very well attended

including former Selectmen Tom Leigh (all the way from Maine), Dana Barthlomew, and John James.

At Selectman Hannum's inquiry, Town Administrator Weitz reported that no contractors bid on the Library (Stairway) Construction Project.

PUBLIC COMMENT

Town Administrator Weitz agreed to conduct a site visit with Highway Superintendent Bassett tomorrow to view a ditch Marcel Tenenbaum, 424 Cooper Hill Road, Ashley Falls, requested the town clean out and repair.

EXECUTIVE SESSION RE: STRATEGY WITH RESPECT TO REAL ESTATE NEGOTIATIONS

Selectman Macy moved to end this regular session meeting, and enter into Executive Session to discuss strategy with respect to real estate negotiations, seconded by Selectman Hannum. ROLE CALL VOTE: Chairman Stanton, aye, Selectman Macy, aye and Selectman Hannum, aye.

The Board adjourned at 7:50PM and went into Executive Session at 7:55PM.

Respectfully submitted,

Beverly Gilbert, Recording Secretary